

REMARKS

The present application was filed on September 19, 2003, with claims 1-36. Claim 27 has been canceled and claims 1-26 and 28-36 remain pending. Claims 1, 19, 29, 30, 35 and 36 are the pending independent claims.

Claims 1-5, 9-13, 16-26 and 28-34 and 36 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0023679 (hereinafter “Johnson”) in view of U.S. Patent Application Publication No. 2002/0089551 (hereinafter “Hugh”).

Claims 6-8 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson and Hugh in view of U.S. Patent Application Publication No. 2003/0097410 (hereinafter “Atkins”).

Claim 35 is rejected under 35 U.S.C. §102(a) as being anticipated by U.S. Patent Application Publication No. 2002/00156693 (hereinafter “Stewart”).

With regard to the §103 rejection of claim 1, Applicants have amended independent claim 1 without prejudice solely to expedite issuance by clarifying the claimed invention. As amended, independent claim 1 now specifies that the annotation data comprising one or more links to information associated with the collaborative information exchange and further comprising metadata associated with at least one target document of the one or more links. At least a portion of the annotation data is represented as at least one hierarchical structure capable of defining one or more of: (i) an indication of organizational data entities; (ii) a specification of collaborating entities; (iii) a specification of content type pertinent to the collaborating entities; (iv) a specification of access control information; (v) a specification of dependency information for the organizational data entities; and (vi) a specification of a type of construct defining collaboration activity.

These claims further specify that at least one other entity accesses at least a portion of the information associated with the collaborative information exchange by selecting at least one of the one or more links, wherein the at least one of the one or more links is selected based at least in part on the metadata associated with at least one target document of the at least one of the one or more links.

Support for the present amendment may be found in the specification at, for example, page 7, lines 1-8; page 9, lines 5-14; page 10, line 26, to page 11, line 4; page 13, lines 11-26; page 14, lines 18-25; page 24, line 24, to page 25, line 2; and page 32, line 21, to page 33, line 3.

Claim 1 as amended specifies that at least one other entity accesses at least a portion of the information associated with the collaborative information exchange by selecting at least one of the one or more links, wherein the at least one of the one or more links is selected based at least in part on the metadata associated with at least one target document of the at least one of the one or more links.

Johnson not only fails to teach or suggest this limitation, but in fact teaches directly away therefrom by instead disclosing an arrangement wherein collaborative content received by the receiver is always rendered and displayed. See, for example, Johnson at [0062]:

[0062] Once the collaborative content is received by the receiver 52 at step 74, the receiver 52 sends the collaborative content to the server process 53 where it is rendered at step 75 by the server 53 to a markup language for rendering and display at step 76 by receiver 52 using display 22. The user at receiver 52 then decides at step 77 whether to end the process and proceed to step 78, or to become an originator 50 at step 79 and create collaborative content at step 71 and send it to the prior originator 50 or another collaborating user. At step 79, the receiver 52 takes on the role of originator 50 and has the ability to create a collaborative element. The process continues until the recipient of the content decides not to send further collaborative content and the flow proceeds to step 78.

Moreover, as apparently conceded by the Examiner, Johnson fails to teach or suggest the limitation of previously presented claim 1 directed to at least one hierarchical representation. Rather, the Examiner relies on paragraph [0192] of Hugh. As previously noted, Applicants have amended claim 1 so as to specify that at least a portion of the annotation data is represented as at least one hierarchical structure capable of defining one or more of: (i) an indication of organizational data entities; (ii) a specification of collaborating entities; (iii) a specification of content type pertinent to the collaborating entities; (iv) a specification of access control information; (v) a specification of dependency information for the organizational data entities; and (vi) a specification of a type of construct defining collaboration activity.

Applicants respectfully submit that this limitation is likewise neither taught nor suggested by Johnson. Applicants further contend that this limitation is neither taught by suggested by paragraph [0192] of Hugh, which states (with emphasis added):

Semi-Hierarchical Arrangement. In some instances, a user may prefer to arrange portions of their information in a traditional hierarchical manner. This may occur, for example, if the data is particularly susceptible to storage in a highly-structured manner and if the user has some preexisting familiarity with a hierarchical information storage structure. One embodiment of the present invention therefore allows users to store information in a purely hierarchical structure, and to access this data through traditional operating system methods. This traditional storage structure, however, may be integrated with the storage structure of the present invention to allow Brain-based storage of other data. For example, a company may wish to store information organized by the management divisions within the company. The company could create a set of folders for each division and then a second level of folders for each employee within a division; then, matrices may be placed within each employee folder, for example, corresponding to each individual employee.

In other words, rather than the arrangement recited in claim 1 wherein at least a portion of the annotation data is represented as at least one hierarchical structure, Hugh teaches a semi-hierarchical arrangement in which individual Brain-based matrices may be stored within each of a hierarchical set of folders.

In view of the above, Applicants respectfully submit that Johnson and Hugh fails to reach the limitations of amended claim 1.

Independent claims 19, 29, 30 and 36 have amended in a manner similar to claim 1 and are hence believed to be patentable for reasons similar to those identified above with regard to claim 1.

Dependent claims 2-4, 9-14, 16-18, 20-28 and 31-34 are allowable for at least the reasons identified above with regard to claims 1, 19 and 30. One or more of these claims are also believed to define separately-patentable subject matter over the cited art.

With regard to the §102 rejection of claim 35, Applicants initially note that a “claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*,

814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the “identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). See generally MPEP 2131.

Although Applicants continue to respectfully assert that claim 35 is patentable over Stewart for at least the reasons identified in the previous Office Action response dated June 3, 2008, Applicants have chosen to amend claim 35 without prejudice solely in order to expedite issuance by clarifying the claimed subject matter.

Specifically, independent claim 35 includes a limitation directed to deploying at least one on-demand business collaboration hyperchain-based management apparatus operative to implement an on-demand information exchange model using a schema-less hierarchical annotation linkage for use in one or more of defining at least one business collaboration process template; creating at least one set of data constructs; selecting at least one other collaborating entity for information exchange capable of acting on at least one set of business constructs; customizing a process template to support a selected set of business constructs; and generating at least one set of activities in a business construct with initial collaborative data entities. Support for this amendment may be found in the present specification at, for example, page 7, line 1, to page 8, line 11.

Applicants respectfully submit that the conventional XML-based techniques described by Stewart fail to disclose the limitations of claim 1 directed to directed to deploying at least one on-demand business collaboration hyperchain-based management apparatus operative to implement an on-demand information exchange model using a schema-less hierarchical annotation linkage. See, for example, Stewart at [0354], which indicates that the technique taught by Stewart require the use of a defined schema.

Accordingly, it is believed that Stewart fails to meet the limitations of amended claim 35.

In view of the above, Applicants believe that claims 1-13, 15-26 and 28-36 are in condition for allowance, and respectfully request withdrawal of the present rejections.

Respectfully submitted,

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